

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

AMERICAN UNIVERSITY OF ANTIGUA COLLEGE
OF MEDICINE, a foreign corporation,

Plaintiff,

V

STEVEN L. WOODWARD,

Defendant.

United States District Court Judge
Patrick J. Duggan, presiding
Michael Hluchaniuk, referral
Case No.: 2:10-cv-10978

Eric A. Buikema (P 58379) Paul M. Kittinger (P 72754) CARDELLI, LANFEAR & BUIKEMA, P.C. Attorneys for Plaintiff 322 W. Lincoln Royal Oak, MI 48067 (248) 544-1100 ebuikema@cardellilaw.com pkittinger@cardellilaw.com	Steven Woodward c/o 7211 Brittwood Lane Flint, MI 48507 810-235-7267 Steve_L_woodward@yahoo.com
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**AUA’S RESPONSE TO AND REQUEST TO STRIKE DEFENDANT’S
“SUPPLEMENTAL RESPONSE TO WOODWARD’S MOTION FOR SANCTIONS”
(Dkt. 180)**

Defendant filed a 16 page (excluding the 118 pages of exhibits) “Reply” (Dkt. 180) to AUA’s Supplemental Authority (Dkt 177) requested by the Court (Dkt. 174) relative to the Request for Admissions issues raised in Defendant’s Motion for Sanctions (Dkt 136).

However, this “Reply” must be stricken from the record and not considered in the Court’s determination of this issue. As an initial note, the Court Order requiring supplemental authority (Dkt. 174) strictly limited submissions to 10 pages to be filed by October 28, 2011. Defendant’s “Reply” was neither limited to ten pages nor filed by October 28, 2011. Defendant has not

provided any timely supplemental authority relative to this motion. Finally, nothing in Dkt. 174 gave the parties the right to file supplemental authority. Turning to the substance of Defendant's reply, he apparently seeks to revisit issues already decided and conclusively determined in prior litigation, despite his being collaterally estopped from the same.

As Defendant failed to comply with the Court's order and filed this authority without the Court's leave to do so, the Court should exercise its inherent authority and strike this reply as "redundant, immaterial, impertinent [and] scandalous." Fed. R. Civ. P. 12(f)(1).

Respectfully submitted,

CARDELLI, LANFEAR & BUIKEMA

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Dated: November 16, 2011

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing AUA's Response to and Request to Strike Defendant's "Supplemental Response to Woodward's Motion for Sanctions" (Dkt. 180) and this Certificate of Service were served upon Steven L. Woodward, Defendant, via his email address Steve_L_woodward@yahoo.com and First Class U.S. mail to Steven Woodward, c/o 7211 Brittwood Lane, Flint, MI 48507 on November 16, 2011.

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